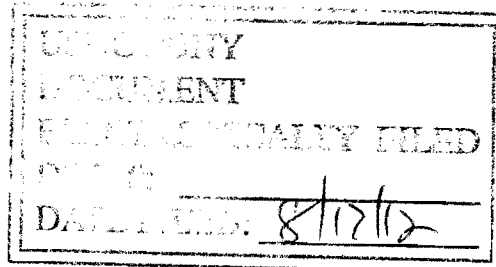


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK----- X
: IN RE REFCO SECURITIES LITIGATION :
: :
: X
: X
KENNETH M. KRYS, et al., :
: :
Plaintiffs, : 08 Civ. 7416 (JSR)
: :
-v- : ORDER
: :
ROBERT AARON, et al., :
: :
Defendants. :
----- X

JED S. RAKOFF, U.S.D.J.



On May 29, 2012, Special Master Daniel J. Capra issued a Report and Recommendation in the above-captioned case recommending that the plaintiffs' motion to dismiss the indemnity counterclaims of defendants Derivatives Portfolio Management, LLC, Derivatives Portfolio Management, Ltd., DPM-Mellon, LLC, and DPM-Mellon, LTD be granted in part and denied in part. After the parties timely submitted their objections and responded thereto, the Court heard oral argument on July 18, 2012 and considered the entire matter de novo. Having done so, the Court finds itself in agreement with Special Master Capra's excellent Report and Recommendation in all material respects and hereby adopts it in full as if incorporated herein.

SO ORDERED.

JED S. RAKOFF, U.S.D.J.

Dated: New York, New York
August 15, 2012